

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO CASES
IDENTIFIED ON EXHIBIT A

MEMORANADUM OPINION AND ORDER

On November 16, 2020, I entered an order directing plaintiffs on Exhibit A to show cause on or before December 16, 2020, why their cases should not be dismissed as to Ethicon, Inc. and Johnson & Johnson (collectively “Ethicon defendants”) for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure.

Plaintiffs in the cases on Exhibit A have not responded to the court’s Show Cause Order. The court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that Ethicon, Inc. and Johnson & Johnson, as indicated on Exhibit A, are dismissed without prejudice. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the cases on Exhibit A and strike them from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party in the cases on Exhibit A.

ENTER: December 17, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Exhibit A

<u>Case Number</u>	<u>Case Name</u>	<u>Remaining Defendant(s)</u>
2:18-cv-00318	Dunagan v. Ethicon, Inc., et al.	Ethicon, Inc., Johnson & Johnson
2:15-cv-03328	Rodriguez v. Ethicon, Inc., et al.	Ethicon, Inc., Johnson & Johnson